

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOMINIQUE TERREL GONZALES,

Defendant.

CASE NO. CR20-5377 BHS

ORDER

This matter comes before the Court on the Defendant's unopposed motion to continue the trial date and pretrial motions due date in this case. Dkt. 101. The Court, having considered the unopposed motion, the declaration of counsel in support of the motion and the Defendant's speedy trial waiver, makes the following findings of fact and conclusions of law in addition to the facts set out in defendant's motion which are hereby incorporated:

1. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation

1 for pretrial proceedings or for trial itself within the time limits established by the Speedy  
2 Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 2. Taking into account the exercise of due diligence, a continuance is necessary to  
4 allow the defense the reasonable time for effective preparation and to ensure continuity of  
5 counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

6 3. Proceeding to trial absent adequate time for the defense to prepare would result  
7 in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

8 4. The ends of justice served by granting this continuance outweigh the best  
9 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

10 5. Defendant waived speedy trial through March 31, 2025. Dkt. 103.

11 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date is continued  
12 from September 24, 2024, to February 11, 2025, at 9:00 a.m. The resulting period of  
13 delay from August 22, 2024, to February 11, 2025, is hereby excluded for speedy trial  
14 purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

15 The parties are directed to submit a stipulation regarding the deadline for the  
16 government's disclosures of its expert witnesses. *See* Fed. R. Crim. P. 16(a)(1)(G)(ii). If  
17 no stipulation is reached, then each party must submit a proposed date along with the  
18 reasons in support of that proposed date.

19 The Court entered an order regarding stay of pretrial deadlines on August 15,  
20 2024, under Dkt. 99 pursuant to a stipulated motion to stay deadlines to file oppositions  
21 and replies, Dkt. 97. These and the procedurally related motions filed under docket  
22 numbers 94 and 95 are re-noted to December 3, 2024, unless the parties agree to an

1 earlier noting date and briefing schedule. Proposed voir dire is due 10 days before trial,  
2 jury instructions and trial briefs are due 14 days before trial for the government and 10  
3 days before trial for the defense. Pretrial Conference is set for February 3, 2025, at 9:30  
4 a.m.

5 Dated this 22nd day of August, 2024.

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8 BENJAMIN H. SETTLE  
9 United States District Judge  
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